

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
Friedrich Lu, Plaintiff ) Civil Action No 21-10516-DJC  
v )  
Boodie Ugunmba, et al, Defendants )

FILED  
IN CLERKS OFFICE  
2021 SEP 21 PM 4:59  
U.S. DISTRICT COURT  
DISTRICT OF MASS.

PLAINTIFF'S MOTION TO STRIKE NOTICES OF APPEARANCE AND WITHDRAWAL

(1) On Aug 18, 2021, Attorneys Nicole M O'Connor and John A Fahey file Notice of Appearance and Notice of Withdrawal, respectively. They both are of Law Department, City of Boston, on behalf of defendants Trustees of Boston Public Library and a library employee.

(2) Now Lu moves to strike both Notices, for not having served the documents on Lu; whatever the purported certificate of services in said Notices said is false. See *Rivera v M/T Fossarina* (CA1 1988) 840 F.2d 152.

(3) Under penalty of perjury, Lu states:

(a) that he accidentally discovered the the aforementioned filings days ago in a commercial website that seeks to reproduce federal courts' official dockets; and

(b) that to date, he has not received said Notices through postal or electronic mail.

(4) Attorney O'Connor is free to refile hers, but Fahey not his -- for now. For the latter, see US Dist Ct (D.Mass.) Local Rule 83.5.2 Appearances, which states in pertinent part (2015 ed):

**“(c) Withdrawal of Appearance.** An attorney may withdraw an appearance on behalf of a party by either of the following procedures.

(1) ***Appearance of Successor Counsel.*** An attorney may file a notice of withdrawal of appearance that is either preceded or accompanied by the appearance of successor counsel; provided, however, that leave of court must be obtained if:

- (A) any motion is pending in the case;
- (B) a trial date has been set;
- (C) an evidentiary hearing has been set; or
- (D) any reports, written or oral, are due.

(2) ***Leave of Court.*** An attorney may seek leave of court to withdraw his or her appearance for good cause shown.

(d) **Notice of Withdrawal.** Any notice or motion to withdraw an appearance must be served

on the party whom the attorney represents and all other parties to the case. Any objections to the withdrawal shall be filed within 14 days after service, unless the court shortens the period for good cause shown.” (boldface and italics original.)

(5) Attorney Fahey has one motion of his pending: motion to dismiss filed on Aug 4, 2021.

Plaintiff: Friedrich Lu, pro se  
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